

Exhibit D

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Counsel for Defendant

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

_____	X	
	:	
UNITED STATES OF AMERICA,	:	
	:	16 Civ. 9446 (JCF)
Plaintiff,	:	
	:	
v.	:	
	:	
111 EAST 88 TH PARTNERS,	:	
	:	
Defendant.	:	
_____	X	

**DEFENDANT'S OBJECTIONS AND RESPONSES TO THE
GOVERNMENT'S SECOND SET OF INTERROGATORIES
TO DEFENDANT**

Defendant 111 East 88th Partners, by its undersigned , hereby responds and objects to the second Set of Interrogatories of the Plaintiff United States of America (the "Government") as follows:

GENERAL OBJECTIONS AND RESPONSES

1. Defendant objects to the interrogatories to the extent that they seek to impose obligations greater than, or different from, those imposed by the Federal Rules of Civil Procedure and the Rules of the United States District Court for the Southern District of New York (the "Local Rules"), including, but not limited to FRCP 33 and Local Rules 26.3 and 33.3.
2. Defendant objects to the interrogatories to the extent they call for the disclosure of information or documents protected by: the deliberative-process privilege; the attorney-client privilege; the work-product doctrine; the common interest privilege; or any other privilege or immunity from disclosure.
3. Defendant objects to the interrogatories to the extent that they seek the disclosure of information not relevant to the subject matter of this litigation and not reasonably calculated to lead to the discovery of admissible evidence; are unduly burdensome or oppressive; and/or require an unreasonable investigation on the part of Defendant in order to be produced.
4. Defendant objects to the interrogatories to the extent they seek disclosure of information that is publicly available to, previously provided to, otherwise within the possession of, or readily obtainable by the Government, its agents and/or counsel, such that the requested disclosure is unduly burdensome or expensive to Defendant.

5. Defendant objects to the interrogatories to the extent they seek information in the possession, custody or control of entities other than Defendant.

6. Defendant expressly reserves the right to supplement, clarify, revise or correct any or all of the responses herein at any time. By making the following responses, Defendant does not waive, and hereby expressly reserves, the right to assert any and all objections as to the admissibility of such responses into evidence at the trial of this action, or in any other proceedings, on any and all grounds, including but not limited to competency, relevancy, materiality, and privilege. Furthermore, Defendant makes the responses herein without in any manner implying or admitting that it considers the Interrogatories, or the responses thereto, to be relevant to the subject matter of this action. Finally, Defendant expressly reserves the right to object to the use of its responses to the Interrogatories in any proceeding other than the above-captioned action.

DEFENDANT'S SPECIFIC OBJECTIONS AND RESPONSES

Interrogatory No. 1:

Identify any person, including any partners, employees, agents, attorneys, or representatives of Defendant, that received and/or participated in reviewing Complainant's June 7, 2015 request for reasonable accommodation.

Response:

Defendant objects to this interrogatory on the ground that: (i) the terms "received" and "participated" are vague and undefined, and (ii) it is a compound question. Defendant also objects to Plaintiff's characterization of Complainant's June 7, 2015 correspondence. Without waiving the foregoing specific and general objections, Defendant identifies:

Robert Ernstoff

Steven S. Sieratzki, Esq.

Interrogatory No. 2:

Identify any person, including any partners, employees, agents or attorneys, or the representatives of Defendants, which received and/or participated in reviewing Complainant's June 7, 2017 request for reasonable accommodation.

Response:

Defendant objects to this interrogatory on the ground that: (i) the terms "received" and "participated in reviewing" are vague and undefined, and (ii) it is a compound question. Defendant also objects to Plaintiff's characterization of Complainant's June 7, 2017 correspondence. Without waiving the foregoing specific and general objections, Defendant identifies Steven S. Sieratzki, Esq. and Robert Ernstoff as having received the aforementioned correspondence, and Attorney Sieratzki as having responded thereto on behalf of Defendant by letter dated June 19, 2017.

Dated: October 26, 2017
New York, New York

Zegen & Fellenbaum

By: /s/ Neal Fellenbaum
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AS TO OBJECTIONS TO INTERROGATORIES

Dated: New York, New York
October 26, 2017

Zegen & Fellenbaum
Co-Counsel for Defendant

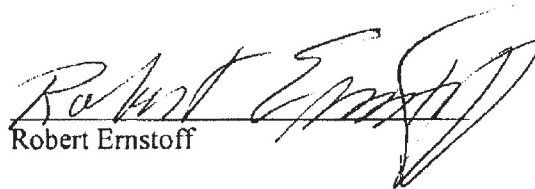
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DEFENDANT'S VERIFICATION

Robert Ernstoff, states:

I am a partner of Defendant 111 East 88th Partners. I have read the foregoing DEFENDANT'S OBJECTIONS AND RESPONSES TO THE GOVERNMENT'S FIRST SET OF INTERROGATORIES TO DEFENDANT, and I know the contents thereof, and the same is true to my own knowledge. I verify under penalty of perjury that the foregoing is true and correct.

Executed on October 26, 2017.


Robert Ernstoff